

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the	)	
Use and Benefit of Herself and the Next Kin of	)	
Richard Smith, Deceased,	)	
	)	
Plaintiff,	)	Civil No. 3:05-0444
	)	Judge Aleta A. Trauger
v.	)	(Dist. Of MA No.
	)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MOTION TO EXCLUDE TESTIMONY OF DR. GREENLAND**

As more fully set forth in the accompanying memorandum of law, Defendants move to exclude certain portions of the proposed expert testimony of Plaintiff's expert Dr. Sander Greenland in this matter. For the first time in this litigation, Dr. Greenland relies on the FDA's 2008 meta-analysis of 11 antiepileptic drugs, in conjunction with a recently published study by Paterno, et al. (2010), (Ex. 5870, Anticonvulsant Medications and the Risk of Suicide, Attempted Suicide, or Violent Death), to somehow opine that gabapentin users are at a 3.6-fold increased risk to undertake suicidal acts, despite the fact that the FDA study itself failed to find any statistically significant increased risk of suicide among gabapentin users relative to placebo. Dr. Greenland has contrived an incorrect statistical "formula" that neither he nor any other scientist he could identify has ever used outside this litigation. Dr. Greenland's testimony on this point is both patently misleading and scientifically meaningless, and should be excluded from the upcoming trial of this matter under FRE 403, 702, and *Daubert v. Merrell Dow Pharmaceuticals Inc.*, 509 U.S. 579 (1993).

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 14<sup>th</sup> day of May 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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